

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-1951

Ifedolapo O. Ajibade,

Petitioner,

v.

John Ashcroft, Attorney General
of the United States of America,

Respondent.

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* Petition for Review of an
* Order of the Board
* of Immigration Appeals.

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* [UNPUBLISHED]

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Submitted: March 25, 2004

Filed: March 30, 2004

Before MORRIS SHEPPARD ARNOLD, FAGG, and SMITH, Circuit Judges.

PER CURIAM.

Ifedolapo Ajibade, a citizen of Nigeria, petitions for review of an order of the Board of Immigration Appeals (BIA) affirming an Immigration Judge's (IJ's) denial of her application for asylum and withholding of removal. After careful review of the record, we deny the petition because substantial evidence on the record as a whole supports the BIA's conclusions. See Menendez-Donis v. Ashcroft, No. 02-3692, 2004 WL 307451, at *3 (8th Cir. Feb. 19, 2004) (standard of review). The IJ and the BIA articulated specific, cogent reasons for determining that Ajibade's testimony

lacked credibility, such as inconsistencies in her statements and evidence regarding her husband's identity, arrests, incarceration, and whereabouts; her inability to answer questions regarding the group at the center of her claim; and the implausibility of her assertions regarding the dates, photos, identification numbers, and condition of her identification cards, and her assertion that her attorney failed to include an allegation of rape in her asylum application. See Perinpanathan v. INS, 310 F.3d 594, 597-98 (8th Cir. 2002).

In addition, we find that because Ajibade failed to meet the lower burden of proof on her asylum claim, she failed to meet the higher burden for withholding of removal, see Francois v. INS, 283 F.3d 926, 932-33 (8th Cir. 2002), and she cannot pursue a Convention Against Torture claim for the first time in this petition for review, see 8 C.F.R. 208.18(b)(1) (2003) (procedures for applying for relief under Convention Against Torture).
